Document 88

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Statement [F.R.C.P. 12(e)]- Case No. C07-4005 EMC

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PROOF OF SERVICE (C.C.P. §§ 1011, 1013, 1013a, 2015.5)

I, the undersigned, declare that I am employed in the County of San Mateo, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 555 Twin Dolphin Drive, Suite 300, Redwood City, California 94065.

I am readily familiar with my employer's business practice for collection and processing of correspondence and documents for mailing with the United States Postal Service, mailing via overnight delivery, transmission by facsimile machine, and delivery by hand.

On December 5, 2007, I served a copy of each of the documents listed below by placing said copies for processing as indicated herein.

NOTICE OF MOTION AND MOTION BY DEFENDANT FARMERS INSURANCE EXCHANGE TO DISMISS PURSUANT TO F.R.C.P. 12(b)(6), OR, IN THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT [F.R.C.P. 12(e)]

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS PURSUANT TO F.R.C.P. 12(b)(6) OR, IN THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT [F.R.C.P. 12(e)]

- X U.S. MAIL: The correspondence or documents were placed in sealed, labeled envelopes with postage thereon fully prepaid on the above date placed for collection and mailing at my place of business to be deposited with the U.S. Postal Service at Redwood City, California on this same date in the ordinary course of business.
- OVERNIGHT DELIVERY: The correspondence or documents were placed in sealed, labeled packaging for overnight delivery with all charges to be paid by my employer on the above date for collection and mailing at my place of business to be deposited in a facility regularly maintained by the overnight delivery carrier, or delivered to a courier or driver authorized by the overnight delivery carrier to receive such packages, on this date in the ordinary course of business.
- HAND DELIVERY: The correspondence or documents were placed in sealed, labeled envelopes and served by personal delivery to the party or attorney indicated herein, or if upon attorney, by leaving the labeled envelopes with a receptionist or other person having charge of the attorney's office.
- FACSIMILE TRANSMISSION: The correspondence or documents were placed for transmission from (650) 592-5027 at Redwood City, California, and were transmitted to a facsimile machine maintained by the party or attorney to be served at the facsimile machine telephone number provided by said party or attorney, on this same date in the ordinary course of business. The transmission was reported as complete and without error, and a record of the transmission was properly issued by the transmitting facsimile machine.

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Case 3:07-cv-04005-EMC Document 88 Filed 12/05/2007 Page 4 of 4 PERSONS OR PARTIES SERVED: Ms. Christine Chang 341 Tideway Drive, #214 Alameda, CA 94501 Telephone: (510) 769-8232 I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 5, 2007. Marlene A. Puza Court: United States District Court Northern District of California Action No: C 07-4005 EMC Case Name: Chang v. Rockridge